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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,527	12/03/2003	Kazumi Suga	03500.017776	3205
5514 7590 04/01/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
IDOWU, OLUGBENGA O				
ART UNIT		PAPER NUMBER		
2623				
MAIL DATE		DELIVERY MODE		
04/01/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/725,527

**Applicant(s)**

SUGA, KAZUMI

**Examiner**

OLUGBENGA O. IDOWU

**Art Unit**

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**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4 and 10 - 13 is/are pending in the application.
- 4a) Of the above claim(s) 2, 3, and 5 - 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4 and 10 - 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1 - 10 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 10 - 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara, patent number: US 6 925 509 B2 in view of Ihara, patent number: US 7 139 090 B1.

As per claims 1 and 10, Ihara (509) teaches a television broadcast receiving apparatus and method comprising:

a receiving unit for receiving television broadcasting waves transmitted in a way that multiplexes program information together with plural pieces of program data (STB receiving signals, col. 6, lines 17 - 23);

a determination unit for determining a number of channels viewable (STB receiving EPG, col. 6, lines 10 - 14);and

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a print control unit for converting the program information received by said receiving unit into data for printing, and outputting program information to a printer (sending information to printer, col. 6, lines 10 - 16),

Ihara (509) does not teach a selection unit for selecting one of (i) a first print mode for printing program information of each program on a predetermined number of pages, and (ii) a second print mode for printing program information of each program without designating the number of pages;

wherein said print control unit determines a layout of the program information a page by a page according to the number of channels viewable, and according to the print mode.

In an analogous art, Ihara (090) teaches a selection unit for selecting one of (two print modes, col. 12, lines 39 - 50) (i) a first print mode for printing program information of each program on a predetermined number of pages (specified number of printing sheets, col. 12, lines 51 - 61), and (ii) a second print mode for printing program information of each program without designating the number of pages;

wherein said print control unit determines a layout of the program information a page by a page according to the number of channels viewable, and according to the print mode (print layout, col. 12, lines 51 - 61).

Therefore, it would have been obvious to one of ordinary skills at the time of the invention to modify Ihara(509)'s EPG printer system by allowing the system to have two print modes and selecting options for font size and layout, for the advantages of providing program information in an easily available and less tedious format.

As per claims 4 and 11, the combination of Ihara (509) and Ihara (090) teach wherein said print control unit determines, in the first print mode, a font size for the program information in accordance with the number of channels viewable and with size information of paper used by said printer (Ihara (509): determining font size col. 6, lines 44 – 48, printing, col. 6, lines 56 - 59).

As per claims 12 and 13, the combination of Ihara (509) and Ihara (090) teach wherein the print control step involves determining, in the first print mode, wide information to be assigned to each of the channels viewable according to the number of channels viewable (Ihara (509): printing EPG in form of a table col. 6, lines 29 - 31).

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUGBENGA O. IDOWU whose telephone number is (571)270-1450. The examiner can normally be reached on Monday to Friday, 7am - 5pm Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571 272 7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Olugbenga O Idowu/  
Examiner, Art Unit 2623  
/Brian T. Pendleton/  
Supervisory Patent Examiner, Art Unit 2623